

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ERICA DENISE POWELL,

Plaintiff,

v.

THE COCA-COLA COMPANY;
YAHAIRA ZAYAS,

Defendants.

CIVIL ACTION NO.

1:17-CV-01852-TWT-CMS

FINAL REPORT AND RECOMMENDATION

On May 23, 2017, Plaintiff Erica Denise Powell (“Plaintiff”) initiated this action by filing a pro se Complaint with this Court. [Docs. 1, 5]. On July 17, 2017, Defendants Coca-Cola Refreshments USA, Inc. and Yahaira Zayas (collectively, “Defendants”) filed an Answer to Plaintiff’s Complaint. [Doc. 7]. Other than a Notice and Request for Dismissal filed by Defendants on January 17, 2018¹ [Doc. 8], neither Plaintiff nor Defendants have filed any documents in this case since July 17, 2017.

¹ In the Notice and Request for Dismissal, Defendants’ counsel notes that he was unsuccessful in his numerous efforts to contact Plaintiff via telephone and mail. [Doc. 8]. As such, Defendants request that the Court dismiss Plaintiff’s Complaint for failure to prosecute her lawsuit. [Id. at 2].

Because the docket shows that there have been no substantial proceedings of record in this case for more than six months, this case is subject to dismissal pursuant to Local Rule 41.3(A)(3) for failure to prosecute. See LR 41.3(A)(3), NDGa. (authorizing the dismissal of a civil case, with or without notice to the parties, for want of prosecution if “[a] case has been pending in this court for more than six (6) months without any substantial proceedings of record, as shown by the record docket or other manner, having been taken in this case.”). Accordingly, I **RECOMMEND** that this case be **DISMISSED** for want of prosecution.

SO REPORTED AND RECOMMENDED, this 19th day of January, 2018.

A handwritten signature in blue ink, reading "Catherine Salinas", is written over a horizontal line.

Catherine M. Salinas
United States Magistrate Judge